

## CHAPTER 7 - ZONE DISTRICT REGULATIONS

### 7.1 R-1 SINGLE-FAMILY RESIDENTIAL

#### 7.1.1 PURPOSE

The R-1 district is intended to provide sites for low-density single-family residential uses, together with such public facilities as may appropriately be located in the same district. The R-1 district regulations are intended to ensure adequate light, air, open space for each dwelling, commensurate with single-family occupancy, and, along with the Brian Head Design Standards, to maintain the desirable residential qualities of such sites by establishing appropriate site development standards. Certain non-residential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

#### 7.1.2 PERMITTED USES

**Only the following uses are permitted in the R-1 Zone:**

- a. Single unit dwellings;
- b. Home occupations identified in Section 10.6.2;
- c. The boarding of horses for non-commercial use, subject to a horse boarding permit;
- d. Commercial rentals of single-family residences, subject to a business license;
- e. Other uses customarily incidental and accessory to single family residential uses, and necessary for the operation thereof (garages or carports, play equipment, or other approved single family use).

#### 7.1.3 CONDITIONAL USES

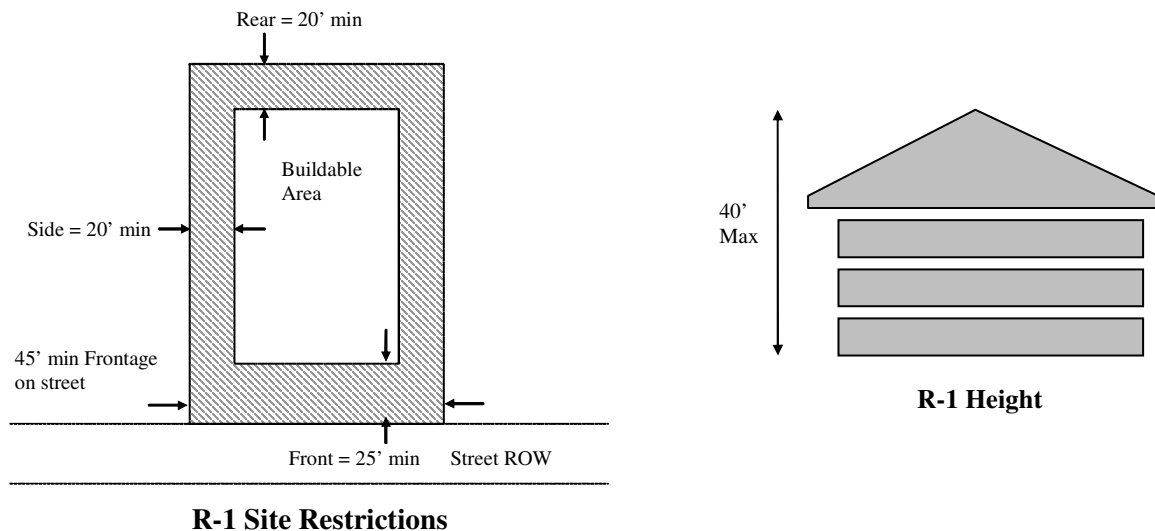
**The following uses are conditional and require a conditional use permit:**

- a. Bed-and-breakfast rentals
- b. Public utility uses
- c. Public or private schools
- d. Public parks
- e. Churches
- f. Home occupations identified in Section 10.6.3

#### 7.1.4 PHYSICAL RESTRICTIONS

- a. *Minimum lot area:* 14,520 sq. ft. (1/3 acre)
- b. *Minimum frontage:* 45'
- c. *Minimum setbacks:* Front = 25', (An administrative exception may be granted for the garage only when all of the following

- d. *Setback Exception:* applies: Front yard setback exceeds 20% slope (11.3 degrees), no habitable space within the setback area, required off-street parking is satisfied and maintained in the garage or on the lot, the roof sheds snow away from the public right-of-way, and adequate snow storage on the lot), side = 20', rear = 20'  
The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:
1. Driveway and walkway.
  2. Roof eaves, provided they encroach no more than 5 feet into the required setback;
  3. Pop out windows, provided the bottom of the pop out structure is no less than 8 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eave, and the pop out structure encroaches no more than 3 ½ feet into the required setback; and
  4. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Zoning Administrator, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four (4) feet into the required setback.
- e. *Maximum height:* 40'  
1' may be added for each 2.5% slope (45' maximum), or 1' may be added for every 10' of all setbacks greater than required (45' maximum)
- f. *Max. building coverage:* 25% of the lot area
- g. *Minimum Landscaping:* 40% of lot shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation;
- h. *Parking:* In accordance with Section 12.14 (Parking)
- i. *Undisturbed lot area* 20% of lot shall not be disturbed during development



## 7.2 R-2 MEDIUM DENSITY RESIDENTIAL

### 7.2.1 PURPOSE

The R-2 district is intended to provide sites for medium-density single and multi-family residential use at a maximum density of 8 dwelling units per acre, together with such public facilities as may appropriately be located in the same district. The R-2 district regulations are intended to ensure adequate light, air, open space for each dwelling, commensurate with medium density multi-family occupancy, and along with the Brian Head Design Guidelines, to maintain the desirable residential qualities of such sites by establishing appropriate site development standards. Certain non-residential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

### 7.2.2 PERMITTED USES

**Only the following uses are permitted in the R-2 Zone:**

- a. Single unit dwellings;
- b. Multi-family dwellings (two or more dwelling units per structure including townhomes);
- c. Home occupations identified in Section 10.6.2;
- d. Nightly rental of dwelling units, subject to a business license;
- e. Other uses customarily incidental and accessory to medium density family residential uses, and necessary for the operation thereof (garages or carports, play equipment, etc.);
- f. Property management;

- g. Public parks and open spaces
- h. Spa;
- i. Food and beverage services (restaurant, café, etc.).

### 7.2.3 CONDITIONAL USES

The following uses are conditional and require a conditional use permit:

- a. Bed-and-breakfast rentals
- b. Public utility uses
- c. Public or private schools
- d. Churches
- e. Public facilities
- f. Home occupations identified in Section 10.6.3

### 7.2.4 PHYSICAL RESTRICTIONS

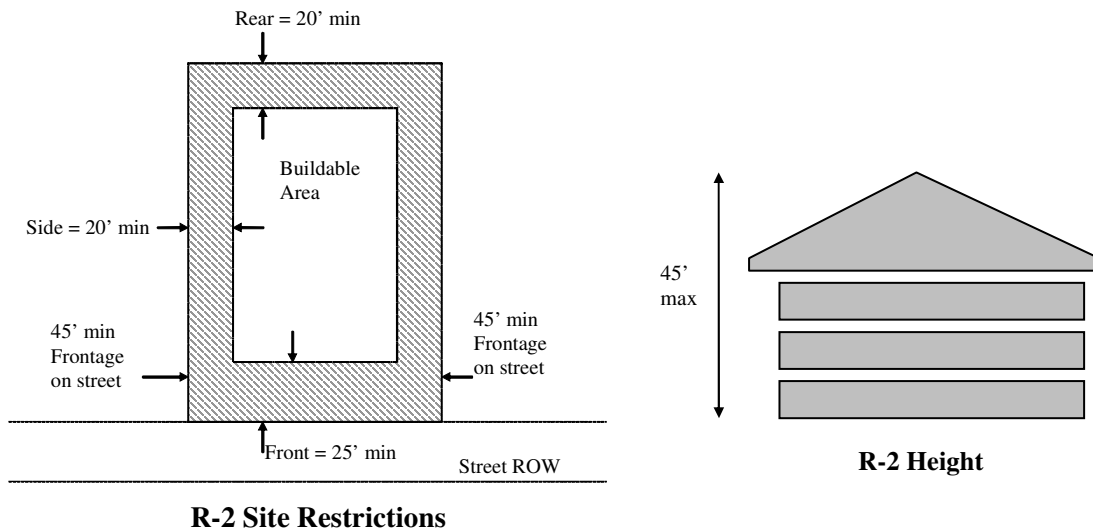
- a. *Minimum lot area:* 21,780 sq. ft. (½ acre)
- b. *Minimum frontage:* 45'
- c. *Minimum setbacks:* Front = 25', except that on slopes exceeding 20% the front setback may be reduced to no less than 20'. Side = 20', rear = 20' up to 35' in height. For buildings over 35' in height, side = 30', rear = 30', front = 25'.
- d. *Setback Exception*

The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:

  - 1. Driveways and walkways;
  - 2. Roof Eaves, provided they encroach no more than 5 feet into the required setback;
  - 3. Pop out windows, provided the bottom of the pop out structure is no less than 8 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eave, and the pop out structure encroaches no more than 3 ½ feet into the required setback; and
  - 4. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Manager or designee, following review. The deck or

exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four (4) feet into the required setback.

- e. *Maximum height:* 45' for peaked roof, 35' for flat roof
- f. *Max. building coverage:* 40% of the lot area
- g. *Max. density:* 8 units per acre (or a fraction thereof) for multi-family dwellings including constraints of this code relating to height, setback, landscaping, lot disturbance, parking, etc.
- h. *Minimum Landscaping:* 40% of lot shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation;
- i. *Parking:* In accordance with Section 12.14 (Parking)
- j. *Undisturbed Lot Area* 20% of lot shall not be disturbed during development



## 7.3 R-3 MULTI-FAMILY RESIDENTIAL

### 7.3.1 PURPOSE

The R-3 district is intended to provide sites for multiple-family dwellings at densities restricted by constraints of this code relating to height, setback, landscaping, lot disturbance, parking, etc., together with such commercial and public facilities as may appropriately be located in the same district. The

R-3 district regulations are intended to ensure adequate light, air, open space, and other amenities commensurate with multiple family occupancy, and, with the Brian Head Design Standards (Chapter 12), to maintain the desirable residential qualities of the district by establishing appropriate site development standards. Certain non-residential uses may be permitted as conditional uses, and where approved, are intended to blend harmoniously with the residential character of the district.

### 7.3.2 PERMITTED USES

**Only the following uses are permitted in the R-3 Zone:**

- a. Multi-family dwellings (two or more dwelling units per structure including townhomes);
- b. Single Unit Dwellings;
- c. Nightly rentals of dwelling units, subject to a business license;
- d. Bed-and-breakfast establishments;
- e. Property management;
- f. Public open spaces (parks, and trails for hiking, non-motorized biking and Nordic skiing etc.);
- g. Other uses customarily incidental and accessory to permitted uses and necessary for the operation, maintenance thereof such as garages, carports, play equipment, and accessory structure;
- h. Home occupations identified in Section 10.6.2.

### 7.3.3 CONDITIONAL USES

**The following uses are conditional and require a conditional use permit:**

- a. Limited retail, food and beverage service and personal services in conjunction with lodging facilities (barber/beauty, travel, child care, etc) for the use of building residents (area of accessory uses may not exceed 40 sq. ft. per residential unit);
- b. Recreational trails and use of open space for motorized vehicles;
- c. Real Estate sales offices operated in conjunction with condominium rental offices when the office space is constructed as part of the project or when approved by the homeowners association and in conformance with the projects CC&R's;
- d. Churches;
- e. Schools;
- f. Public institutions;
- g. Public parking lots;
- h. Convention facilities;
- i. Home occupations identified in Section 10.6.3
- j. Spa;
- k. Food and beverage services (restaurant, café, etc.).

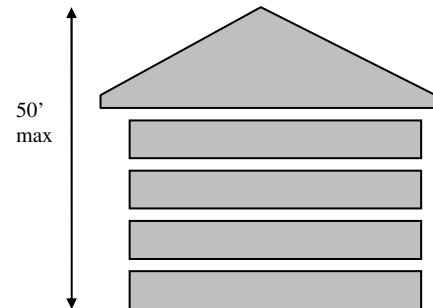
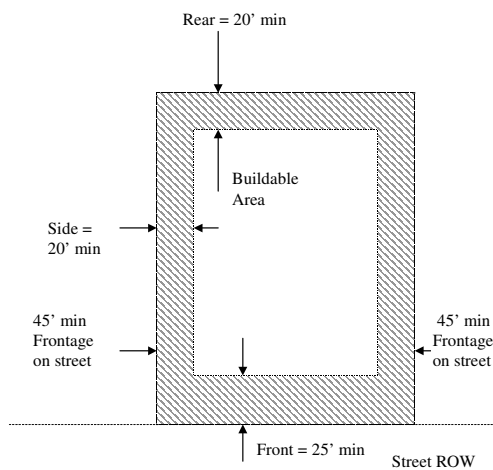
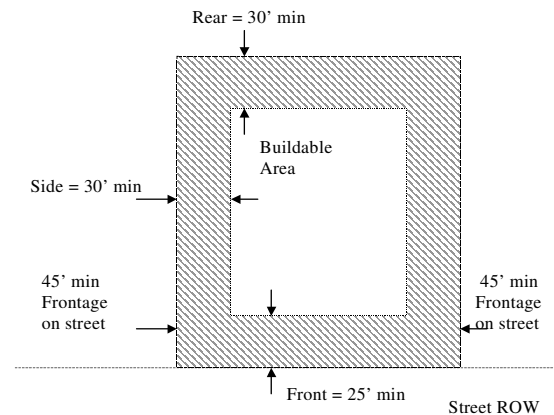
### 7.3.4 PHYSICAL RESTRICTIONS

- a. *Minimum lot area:* 21,780 sq. ft. (1/2 acre)

- b. *Minimum frontage:* 45'
- c. *Minimum setbacks:* front = 25', side = 20', rear = 20' up to 35' in height. For buildings over 35' in height, side = 30', rear = 30', front = 25'.
- d. *Setback exceptions:*

The following may be permitted to encroach within the required setback, subject to compliance with the provisions of this section, on a case by case basis after written approval of the Town Manager or Designee, following review:

  - 1. Driveways and walkways running parallel to a property line shall not occupy more than 75% of the required setback area while retaining at least 25% of the required area as a landscape buffer ;
  - 2. Roof Eaves, provided they encroach no more than 5 feet into the required setback;
  - 3. Pop out windows, provided the bottom of the pop out structure is no less than 8 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eave, and the pop out structure encroaches no more than 3 ½ feet into the required setback; and
  - 4. Decks and exterior staircases attached to the residential structure. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four (4) feet into the required setback.
- e. *Maximum density:* Restricted by constraints of this code relating to height, setback, landscaping, lot disturbance, parking, etc.,
- f. *Maximum height:* 50' for peaked roof, 40' for flat roof
- g. *Max. building coverage:* 40% of the lot area
- h. *Min. Landscaping:* 40% of lot shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation.
- i. *Parking:* In accordance with Section 12.14 (Parking).
- j. *Undisturbed Lot Area* 20% of lot shall not be disturbed during development

**R-3 Height****R-3 Site Restrictions  
(35 ft or less)****R-3 Site Restrictions  
(over 35 ft)**

## 7.4 GC GENERAL COMMERCIAL (FORMERLY C-1 AND C-2)

### 7.4.1 PURPOSE

The General Commercial (GC) district is intended to provide sites outside of the Village Commercial Zone, with a mixture of lodges and commercial establishments in an auto-oriented setting. The GC district regulations are intended to ensure light, air, open space and other amenities appropriate to the permitted types of buildings and uses. The GC district regulations in conjunction with the LMC prescribe site development standards that are intended to maintain the unique character and relationship of the Brian Head Town commercial areas and to ensure an



attractive, functional commercial setting.

#### 7.4.2 PERMITTED USES

**Only the following uses are permitted in the GC Zone:**

- a. Professional offices (real estate, finance, insurance, medical and dental, etc.)
- b. Personal services (barber/beauty, spa, self-service laundry, etc.)
- c. Public parking lots
- d. Public institutions and government buildings, e.g., town hall, library, senior center, etc.
- e. Public open spaces (parks, etc.)
- f. Public recreation areas
- g. Theater and arcade (entertainment)
- h. Banks
- i. Light hardware (no outside storage or sales of goods)
- j. Places for retailing of goods emphasizing local services (necessities, sundries, groceries, and convenience items), (including outdoor display)
- k. Food and beverage service
- l. Child care centers
- m. Public and private educational institutions
- n. Churches
- o. Schools
- p. Food and beverage establishments
- q. Retail, guest services, non motorized equipment rental (e.g., skis, bicycles, etc.) — oriented to tourists and mountain outdoor recreation, (including outdoor display)
- r. Lodging and nightly rentals (including hotels and motels)
- s. Residential dwellings in conjunction with commercial space. It is required that at least 75% of the entire main floor, facing the public street or thoroughfares be dedicated to commercial business with provisions for ADA compliant residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multi-building projects the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public.
- t. Home occupations identified in Section 10.6.2
- u. Other uses customarily incidental and necessary to permitted uses and necessary for the operation thereof.

#### 7.4.3 CONDITIONAL USES

**The following uses are conditional and require a conditional use permit:**

- a. Recreational vehicle rental, sales, and service
- b. Fuel service stations
- c. Home occupations identified in Section 10.6.3
- d. Recreational vehicle parking and camping facilities
- e. Rental of horses.

## 7.4.4 PHYSICAL RESTRICTIONS

- a. *Minimum lot area:* 21,780 sq. ft. (1/2 acre)
- b. *Minimum frontage:* 45'
- c. *Minimum setbacks:* Front = 25'; side and rear = 20' up to 35' height. For buildings over 35' in height, front = 25', side and rear = 30',
- d. *Setback exceptions:* The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:
  - 1. Driveways and walkways;
  - 2. Roof Eaves, provided they encroach no more than 5 feet into the required setback;
  - 3. Pop out windows, provided the bottom of the pop out structure is no less than 8 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eave, and the pop out structure encroaches no more than 3 ½ feet into the required setback; and
  - 4. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Manager or Designee, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four (4) feet into the required setback.
  - 5. Portico may extend into front or side yard setback when approved by the Planning Commission.
- e. *Maximum height:* 60' for peak roof, 50' for flat roof
- f. *Maximum density:* Restricted by constraints of this code relating to height, setback, landscaping, lot disturbance, parking, etc.,
- g. *Maximum building coverage:* 40% of the lot area,
- h. *Minimum landscaping:* 40% of lot shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation.
- i. *Parking and Loading:* In accordance with Section 12.14 (Parking). On-site parking should be provided in the rear of the building or underground. Parking may be provided off-site by participating in a parking district, or by providing

j. *Undisturbed Lot Area*

parking lots jointly with other specific establishments.  
10% of lot shall not be disturbed during development

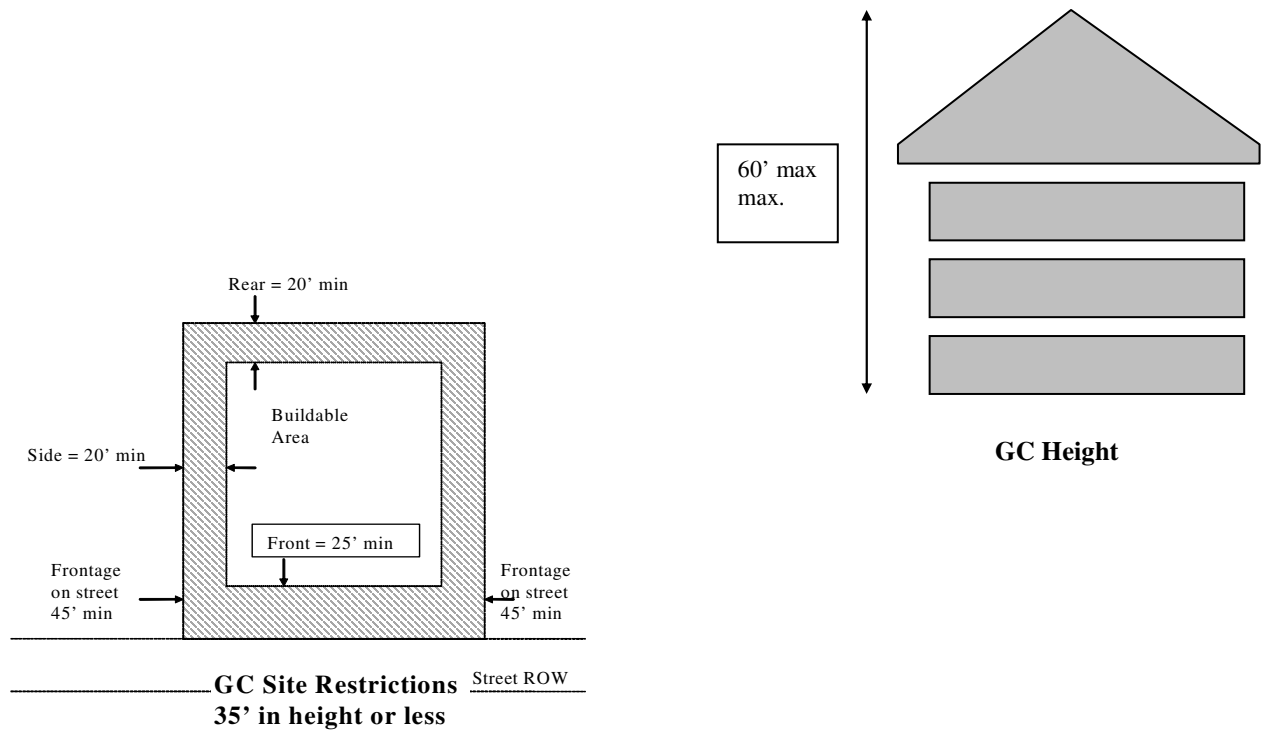
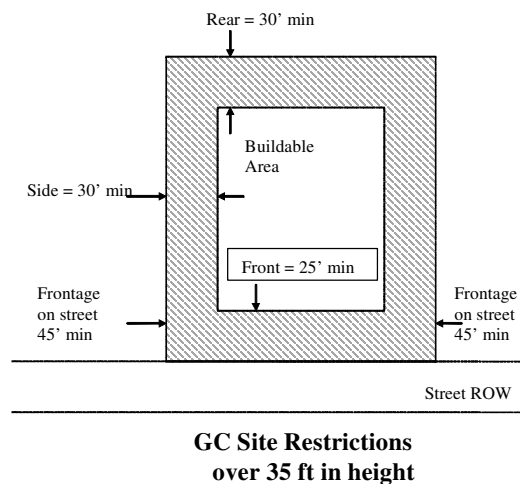


Figure 1



## 7.5 VC VILLAGE COMMERCIAL

### 7.5.1 PURPOSE

The Village Commercial (VC) district is intended to provide for village core area(s) with a mixture of lodges, business and commercial establishments in a predominantly pedestrian setting. The VC district regulations are intended to ensure light, air, open space and other amenities appropriate to the permitted types of buildings and uses. The district regulations, in conjunction with the Brian Head Design Guidelines, prescribe site development standards that are intended to maintain the unique character of the Brian Head Town commercial areas and to ensure an attractive, functional village resort setting.

### 7.5.2 PERMITTED USES

**Only the following uses are permitted in the VC Zone:**

- a. Pedestrian-oriented retail stores (including outdoor display)
- b. Food and beverage establishments
- c. Banks
- d. Entertainment establishments (not including sexually oriented business establishments)
- e. Spas
- f. Guest services, Non-motorized recreation equipment rental
- g. Professional and personal services (beauty shops, travel agencies, real estate, law, medicine)
- h. Professional offices
- i. Multi-family housing, hotel type lodging in conjunction with commercial space. It is required that at least 75% of the entire main floor, facing the public street or thoroughfares be dedicated to commercial business with provisions for ADA compliant residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multi-building projects the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public.
- j. Home occupations identified in Section 10.6.2
- k. Other uses customarily incidental and necessary to permitted uses and necessary for the operation thereof.

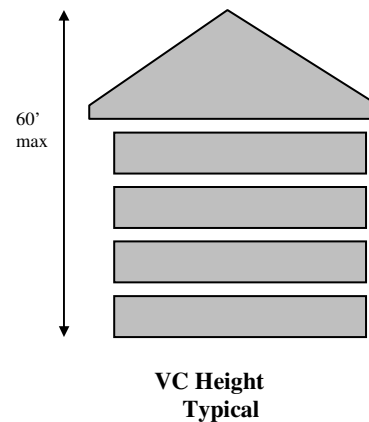
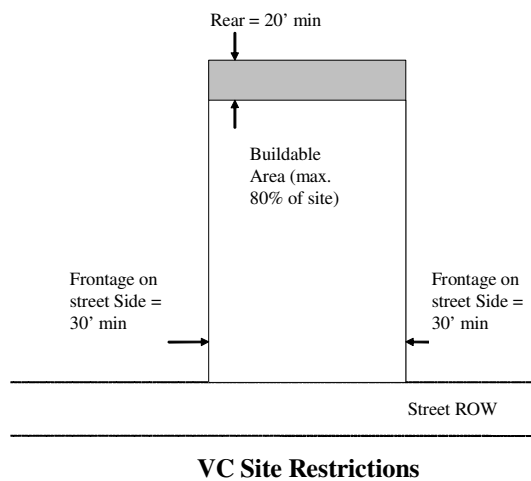
### 7.5.3 CONDITIONAL USES

The following uses are conditional and require a conditional use permit:

- a. Home occupations as identified in Section 10.6.3

### 7.5.4 PHYSICAL RESTRICTIONS

- |                                      |  |
|--------------------------------------|--|
| a. <i>Minimum lot area:</i>          | 3,000 square feet  |
| b. <i>Minimum frontage:</i>          | 30'  |
| c. <i>Setbacks:</i>                  | <p>Minimum: Rear = 20', side and front = 0'</p> <p>Maximum: Front = 10', i.e., the front line of the building shall be located no further than 10' from the front lot line.</p>  |
| d. <i>Setback exceptions:</i>        | <p>The following shall be allowed to encroach within the required setback, subject to compliance with the provisions of this section:</p> <ol style="list-style-type: none"> <li>1. Driveways and walkways;</li> <li>2. Roof Eaves, provided they encroach no more than 5 feet into the required setback;</li> <li>3. Pop out windows, provided the bottom of the pop out structure is no less than 8 feet above grade measured at the pop out structure, the total width of the pop out structure does not exceed 12 feet measured at the point where the pop out structure attaches to the residential structure, the pop out structure is under and completely covered by a roof overhang or eave, and the pop out structure encroaches no more than 3 ½ feet into the required setback; and</li> <li>4. Decks and exterior staircases attached to the residential structure may be permitted on a case by case basis after written approval of the Town Manager or Designee, following review. The deck or exterior staircase must be uncovered other than by a permitted roof overhang or eave of the residential structure, and the deck or exterior staircase may encroach no more than four (4) feet into the required setback.</li> </ol> |
| e. <i>Maximum height:</i>            | 60' for peaked roof, 50' for flat roof   |
| f. <i>Density:</i>                   | restricted by constraints of this code relating to height, setback, landscaping, lot disturbance, parking, etc.,   |
| g. <i>Maximum building coverage:</i> | 80% of the lot area  |
| h. <i>Landscaping:</i>               | No minimum requirement —Planters, decorative paving, and trees in tree grates are appropriate in conformance with LMC 12.4 with every effort to preserve existing vegetation.  |
| i. <i>Parking and Loading:</i>       | In accordance with Section 12.14 (Parking). On-site parking shall be provided in the rear of, or below the building or underground. Parking may be provided off-site by participating in a parking district, or by providing parking lots jointly with other specific establishments.  |



j. *Pedestrian:*

In the Core area, loading zones shall be located only by specific review.  
Provisions for pedestrian traffic, integrated with neighboring walkways, must be provided.

## 7.6 L-1 LIGHT INDUSTRIAL

### 7.6.1 PURPOSE

To provide sites for light industrial uses that are not appropriate in other commercial districts. Because of the varied nature and potential impacts of the uses, all permitted uses are subject to the restrictions below and the Brian Head Design Guidelines as a condition of approval. The physical restrictions set out below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a permit for any use.

### 7.6.2 PERMITTED USES

**Only the following uses are permitted in the L-1 Zone:**

- a. Vehicle and equipment storage yards (including recreational vehicles)
- b. Recreational vehicle rental, sales, and service (e.g., snowmobiles, ATVs, etc.)

- c. Storage and/or sales of construction/building materials
- d. Warehouses or storage unit rental facilities
- e. Firewood preparation, storage and sales
- f. Vehicle service yards and service garages (including recreational vehicles)
- g. Fuel and oil storage and sales or distribution
- h. Utility substations
- i. Other similar uses

### 7.6.3 CONDITIONAL USES

**The following uses are conditional and require a conditional use permit:**

- a. Rental of horses
- b. Sexually Oriented Business (SOB)
- c. Manufacturing and fabrication

### 7.6.4 PHYSICAL RESTRICTIONS

The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a Conditional Use permit for any use.

- a. *Minimum lot area:* 21,780 square feet (1/2 acre)
- b. *Minimum frontage:* 45'
- c. *Minimum setbacks:* front = 25', side and rear = 20' (from residential property), side and rear = 10' (from adjoining L-1 property)
- d. *Maximum height:* 50' maximum structure height
- e. *Density:* Not applicable
- f. *Maximum building coverage:* 50% of lot area
- g. *Min. Landscaping:* 25% of the lot area shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation.
- h. *Parking and Loading:* In accordance with Section 12.14 (Parking).
- i. *Screening:* All outdoor storage including vehicles, machinery and equipment shall be screened from the public view as seen from any public roadway. Landscaping, fencing, and building orientation are acceptable methods to minimize the adverse visual impacts.
- j. *Noise:* No use shall be permitted or conducted which creates noise, objectionable by reason of volume, pitch, intermittence or frequency, which is audible at the boundaries of the site.
- k. *Other Restrictions:* Design should provide for all servicing of vehicles and equipment to be within structures except for delivery of

gas and other fluids.

## 7.7 ROS RECREATION OPEN SPACE

### 7.7.1 PURPOSE

To preserve areas for land uses requiring substantial areas of open land and substantially free from structures, roads and parking lots, while permitting recreational pursuits such as ski runs, parks, golf courses and trails. Public or private recreational facilities are suitable uses in this district, provided that such uses maintain the open, undeveloped character of the land.

### 7.7.2 PERMITTED USES

**Only the following uses are permitted in the ROS Zone:**

- a. Ski runs and ski lifts, tubing parks, mountain bike parks and non-motorized trails
- b. Parks, playgrounds, and other open recreational facilities
- c. Outdoor recreation, including golf courses, swimming facilities, riding or bridle paths, related facilities and uses, picnic areas, tennis courts
- d. Rental of horses
- e. Multi-use roads and trails for OHV's, biking, hiking, and equestrian use (motorized and non-motorized roads and trails)
- f. Unpaved maintenance roads

### 7.7.3 CONDITIONAL USES

**The following uses are conditional and require a conditional use permit:**

- a. Buildings and parking related to permitted uses such as stalls, shelters, ticket booth, pavilion, clubhouse, warming hut, with maximum building area of 1,500 square feet.

### 7.7.4. PHYSICAL RESTRICTIONS

The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a Conditional Use permit for any use.

- a. *Minimum lot area:* 21,780 square feet (1/2 acre)



- |                                      |   |
|--------------------------------------|---|
| b. <i>Minimum frontage:</i>          | 50'   |
| c. <i>Minimum setbacks:</i>          | front = 25', side and rear = 20',   |
| d. <i>Maximum height:</i>            | 35' for peaked roof, 25' for flat roof  |
| e. <i>Density:</i>                   | Not applicable  |
| f. <i>Maximum building coverage:</i> | 10% of lot area   |
| g. <i>Min. Landscaping:</i>          | 75% of the lot area shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation. |
| h. <i>Parking and Loading:</i>       | In accordance with Section 12.14 (Parking).   |

## 7.8 COS CONSERVATION OPEN SPACE

### 7.8.1 PURPOSE

To identify and preserve land that is, by virtue of ownership or easement, precluded from development, and to preserve the historic and natural beauty of those areas. Qualifying land includes property owned by a governmental entity, or parcels for which a scenic or conservation easement has been granted to a governmental entity, land trust or conservation organization.

### 7.8.2 PERMITTED USES

**Only the following uses are permitted in the COS Zone:**

- a. Ski lifts (limited to towers and terminals).
- b. Conservation areas.
- b. Waterways, streams, lakes, water-features.
- c. Recreational trails.

### 7.8.3 CONDITIONAL USES

**The following uses are conditional and require a conditional use permit:**

- a. Bridges over natural vegetation and water features to preserve open space.
- b. Public Restrooms

### 7.8.4 RESTRICTIONS

All lands are to remain free of structures other than those specifically mentioned above.

## **7.9 P PUBLIC USES (Formerly CV CIVIC)**

### **7.9.1 PURPOSE**

The Civic Uses (CV) Zone is intended to provide areas for the location and establishment of facilities which are maintained in public and quasi-public ownership. This zone is intended to provide immediate recognition of such areas on the official zoning map of Brian Head, and to reduce the affect which the location of these facilities may have upon neighborhoods in residential, commercial, or industrial areas. Typical uses permitted in the CV zone are public schools, public parks, hospitals, airports, public utilities, public equipment storage areas, municipal offices and meeting halls, and public shop areas. Though some of these uses will be allowed in other zones to initially accommodate public facilities in appropriate areas without undue difficulty, it is intended that the CV zone would then be applied to all such facilities for ease of recognition and minimizing impacts.

### **7.9.2 PERMITTED USES**

**Only the following uses are permitted in the CV Zone:**

- a. Cultural activities and nature exhibits (public only)
- b. Forest Reserves (public only)
- c. Governmental services
- d. Recreational activities (public only)
- e. Public School Facilities

### **7.9.3 PERMITTED ACCESSORY USES**

Accessory uses and structures are permitted in the CV zone provided they are incidental to, and do not substantially alter the character of the permitted use or structure – including, but not limited to, the following:

- a. Accessory buildings such as garages, carports, bath houses, green houses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with and incidental to a principal use or structure;
- b. Swimming pools;
- c. A detached single-family residence used only for the use of a caretaker, watchman, or similar employee of a permitted use, when located upon the same site as said permitted use, i.e. RV Park Camp Host
- d. Nothing herein shall be construed to permit the open storage of materials or equipment used in conjunction with permitted uses. All such materials or equipment shall be screened from view from public or private streets.
- d. Fishing activities.

### **7.9.4 CONDITIONAL USES**

The following businesses are conditional uses and require a conditional use permit:

- a. Airports and flying fields
- b. Ambulance Services
- c. Cemetery
- d. Combination utilities company storage yards and equipment storage
- e. Communications
- f. Electricity regulating substations
- g. Golf Courses
- h. Group or organized camps
- i. Hospitals
- j. Heliports and general aircraft
- k. Other utilities
- l. Other water utilities or irrigation
- m. Parks
- n. Religious Activities
- o. Refuse incineration with a burn permit
- p. Solid waste transfer station
- q. Water purification/treatment plant
- r. Water storage as part of a utility system (open reservoirs)

#### 7.9.5 PHYSICAL RESTRICTIONS

- a. *Minimum lot area:* 10,890 square feet (1/4 acre)
- b. *Minimum frontage:* 50'
- c. *Minimum setbacks:* Front: 25'  
Side and Rear: 10' (adjoining L-1 property), or 20' when adjoining property in all other zones
- d. *Maximum height:* 35' for peaked roof, 25' for flat roof
- e. *Maximum building coverage:* 50% of lot area
- f. *Minimum landscaping:* 25% of lot area shall be landscaped per LMC 12.4 with every effort to preserve existing vegetation.
- g. *Screening:* All outdoor storage including vehicles, machinery and equipment shall be screened from the public view as seen from any public roadway. Landscaping, fencing, and building orientation are acceptable methods to minimize the adverse visual impacts.
- h. *Parking and loading:* In accordance with Section 12.14 (Parking)
- i. *Noise:* No use shall be permitted or conducted which creates noise, objectionable by reason of volume, pitch, intermittence or frequency which is audible at the boundaries of the site.
- j. *Other Restrictions:* No service facilities may be located within setbacks. Design should provide for all servicing of vehicles to be

within structures except for delivery of gas and other fluids.

(Include Eight Pages of Zoning Tables Here)